IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

WRIT PETITION NO : 13708 of 1995

Between:

1 Smt. J. Manjula W/o. J. Mohan
R/o. M.L.A's Colony, Rd.No.12, Banjara Hills, Hyderabad.
2 J. Mohan S/o. Venkat Rao
R/o. M.L.A's Colony, Rd.No.12, Banjara Hills, Hyderabad.
3 Smt. V. Sailaja Reddy W/o. V.C. Prakasha Reddy
R/o. M.L.A's Colony, Rd.No.12, Banjara Hills, Hyderabad.

..... PETITIONERS

AND

1 The District Collector, Hyderabad,
Nampally Station Road, Hyderabad.
2 Mandal Revenue Officer,
Golkonda Mandal, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents in resorting to demolition of the structures and compound walls of the Petitioners relating to Plot Nos. 59/C/D 176/A/C Part and 10/B respectively of Sri Venkateswara Cooperative House Buildings Society for A.P. Legislators Ltd., layout and consequently direct the respondents not to interfere with the possession and enjoyment of the petitioners of the above plots including demolition of the structures and the compound walls thereon

Counsel for the Petitioner: MR. Polisetty Radhakrishna

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

ORAL ORDER:

The petitioners state that the Government allotted 100 acres of land to Sri Venkateswara Cooperative House Building Society(for short, 'the society') as per the approved lay out and they being the members of the said society, have constructed their respective houses in their respective plots as per the sanctioned plans by the Municipal Corporation, Hyderabad. While so the respondents, with a view to develop the adjacent land to the society, entrusted the same to HUDA for marking the land into plots to sell the same to general public.

It is their grievance that while dividing the land into plots, the respondents surveyed the land and found that some portion of the site belonging to the government is encroached by some of the members of the society and on 1-7-1995, demolished compound walls of some of the house, without properly surveying the said plots.

A detailed counter affidavit has been filed on behalf of the respondents refuting all the material allegations of the petition stating that the petitioners are trying to grab the Government land under the guise of the sale deeds made by the Society and that the encroached land in question was never allotted to the said Society.

Today, when the matter is taken up for hearing, learned counsel for the petitioner submitted that the petition may be disposed of, by

giving liberty to the petitioners to make a fresh representation before the Government basing on G.O. Ms. No. 610 Revenue, dated 25.7.1996.

Therefore, in view of the above submission, without going into the merits of the case, the writ petition is disposed of by giving liberty to the petitioners to make a representation before the Government in terms of G.O. Ms. No. 610 dated 25.7.1996, within a period of eight weeks from the date of receipt of a copy of this order and on such representation being made by the petitioners, the authorities concerned shall dispose of the same, as expeditiously as possible, in accordance with law. No costs.

Kvsn 09-12-2004

To

1 The District Collector, Hyderabad,
Nampally Station Road, Hyderabad.
2 Mandal Revenue Officer,
Golkonda Mandal, Hyderabad.

3 Two CCs to G.P. for Revenue, High Court buildings, Hyderabad.

4 Two CD copies.